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10/573,675	03/24/2006	Thomas Hanna	2003P11505WOUS	3540

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EXAMINER
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ART UNIT	PAPER NUMBER
4144	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/573,675	HANNA ET AL.
	Examiner	Art Unit	
	BENJAMIN ELLIOTT	4144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03/24/2006*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *4-12* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *4-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *24 March 2006* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date *3/24/2006*.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

1.   Claims 1-3 are cancelled.

2.   Claims 4 – 12 have been examined and are pending.

Information Disclosure Statement

3.   An initialed and dated copy of Applicant's IDS form 1449 submitted 3/24/2006 is

attached to the instant office action.

Abstract

4.   Applicant is reminded of the proper language and format for an abstract of the

disclosure.

The abstract should be in narrative form and generally limited to a single

paragraph on a separate sheet within the range of 50 to 150 words. It is important that

the abstract not exceed 150 words in length since the space provided for the abstract

on the computer tape used by the printer is limited. The form and legal phraseology

often used in patent claims, such as "means" and "said," should be avoided. The

abstract should describe the disclosure sufficiently to assist readers in deciding whether

there is a need for consulting the full patent text for details. The language should be

clear and concise and should not repeat information given in the title. It should avoid

using phrases which can be implied, such as, "The disclosure concerns," "The

disclosure defined by this invention," "The disclosure describes," etc. The Applicant has

used the phrase "means for" in the abstract ("The network entity comprises means

for..."). Appropriate, corrective action is required.

Specification

5.   The disclosure is objected to because of the following informalities: the

Applicant uses the reference number 5 to describe to different elements of Figure 1. In

paragraph 22, the Applicant declares "a user agent client part" to be element number 5

as well as in paragraph 26, "in the store" to be element number 5 in reference to Figure

1 of the drawings. Appropriate correction is required.

Drawings

6.   The drawings are objected to under 37 CFR 1.83(a) because they fail to show in

Figure 1, number 3 as the "Basic Call Enhancer" as described in the specification. The

number 3 describing the "Basic Call Enhancer is missing from the drawing. Any

structural detail that is essential for a proper understanding of the disclosed invention

should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in

compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid

abandonment of the application. Any amended replacement drawing sheet should

include all of the figures appearing on the immediate prior version of the sheet, even if

only one figure is being amended. The figure or figure number of an amended drawing

should not be labeled as "amended." If a drawing figure is to be canceled, the

appropriate figure must be removed from the replacement sheet, and where necessary,

the remaining figures must be renumbered and appropriate changes made to the brief

description of the several views of the drawings for consistency. Additional replacement

sheets may be necessary to show the renumbering of the remaining figures. Each

drawing sheet submitted after the filing date of an application must be labeled in the top

margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If

the changes are not accepted by the examiner, the applicant will be notified and

informed of any required corrective action in the next Office action. The objection to the

drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section
122(b), by another filed in the United States before the invention by the applicant for patent or (2) a
patent granted on an application for patent by another filed in the United States before the invention by
the applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

7.   Claims 4-12 are rejected under 35 U.S.C. 102(e) as being anticipated by US

patent 6,987,756 to Ravindranath et al., filed on October 7, 1999 (hereinafter

Ravindranath).

       As per claim 4, Ravindranath teaches a method for operating a Session Initiation

Protocol (SIP) network entity in a communication channel (Abstract; col. 5, lines 2-14;

where endpoints are connected to the communications network system via a

communications link using ,among the variety of protocols available, session initiation

protocol) between a first end point and a second end point in a packet based

communication network (col. 5, lines 15-21; i.e. endpoints are IP telephones with the

capability to convert analog to digital to IP packets) with available a first set of

communication features at the first end point and available a second set of

communication features at the second end point, including at least one communication

feature in the second set of communication features which is unavailable to the first end

point (col.5, lines 60-67; col. 7, lines 1-10; col. 8, lines 27-38; col. 12, lines 40-67; col.

13, lines 1-38. wherein each end point does have different features sets, and each

feature set can be accessed through its telephony server from another end point)

comprising:

       acting as a client application for the first end point and as a server application for

the second end point (col.7, lines 29-35, 52-55; Figure 2, see #'s 235, 240, 245;

Ravindranath's invention utilizes a TCP read handler that monitors a client interface

module and accepts the connections from an endpoint, and required outputs are sent to

endpoints using a TCP write handler);

and arranging to exchange signaling information with the first and second end

points to enable the second end point to utilize the at least one communication feature

which is unavailable to the first end point during communications with the first end point.

(col. 3, lines 2-4, 52-62; col. 12, lines 40-67; col.13, lines 1-38; where telephony servers

allow endpoints to communicate with each other through the network cloud wherein

these servers communicate with each other to retrieve a communication feature which

is not available to its direct endpoint).

As per claim 5, Ravindranath teaches the method of claim 4, wherein a call

routing addresses signaling information that is exchanged between the SIP network

entity and the first and second end points or the SIP network entity and the

communication network (col. 5, lines 2-14 (where endpoints are connected to the

communications network system via a communications link using, among the variety of

protocols available, session initiation protocol); col. 3, lines 30-43, 52-55; telephony

servers which allow the endpoints to connect through the network cloud with one

another directly).

As per claim 6, Ravindranath teaches the method of claim 5, wherein a payload

routing addresses payload data received at the SIP network entity for routing to the first

or second end points (col. 5, lines 2-14 (where endpoints are connected to the

communications network system via a communications link using, among the variety of

protocols available, session initiation protocol); col. 7, lines 62-67; col. 8, line 1; a call

processing handler that receives info from the TCP read handler, then processes the

information to the TCP write handler for transmission).

As per claim 7, Ravindranath discloses a network entity for operating a Session

Initiation Protocol (SIP) network in a communication channel between two end points in

a packet based communication network (Abstract, col. 5, lines 2-14 (where endpoints

are connected to the communications network system via a communications link using,

among the variety of protocols available, session initiation protocol)), comprising:

a first SIP user agent located at a first end point having a basic SIP

communication feature set; a second SIP user agent located at a second end point

having an enhanced SIP communication feature set (col. 12, lines 52-67; col. 13, lines

1-13; For either the first endpoint or the second endpoint, Ravindranath's system

includes endpoints which may have more or less features than another endpoint in the

system);

and a SIP Basic Call Enhancer located within the communication channel

between the first and second SIP user agents that enables the second user agent to

utilize the enhanced SIP communication feature set which is unavailable to the first user

agent when communicating with the first user agent (col. 3, lines 18-67, col. 4, lines 1-

45, as seen in Figure 1, #100; Figure 2, #200; Ravindranath shows in Figure 1 the

telephony network system of his design, and in this system is the server program

function set (i.e. a call enhancer) that allows the endpoints (i.e. the first and the second end points) to communicate having different feature sets, shown in figure 2).

As per claim 8, Ravindranath teaches the network entity as claimed in claim 7, wherein the basic SIP communication feature set supports session initiation and termination (col. 5, lines 2-14 (where endpoints are connected to the communications network system via a communications link using, among the variety of protocols available, session initiation protocol); col. 3, lines 29-31; Ravindranth's telephony server allow services for establishment, supervision, and termination).

As per claim 9, Ravindranath discloses the network entity as claimed in claim 7, wherein the enhanced SIP communication feature set supports session initiation and termination, and an enhanced set of telephony features selected from the group consisting of: call waiting, call transfer, conference calling, call hold, and music on hold (col. 5, lines 2-14 (where endpoints are connected to the communications network system via a communications link using, among the variety of protocols available, session initiation protocol); col. 3, lines 52-64; col. 12, lines 52-58; Ravindranth's telephony servers have common telephony features including, but not limited to, call waiting, conference calling, call transfer, answering services, speed dialing, or call pick-up).

As per claim 10, Ravindranath discloses the network entity as claimed in claim 7, wherein the SIP Basic Call Enhancer comprises: a user agent server part that exchanges messages with the first SIP user agent, a user agent client part that exchanges messages with the second SIP user agent (col. 5, lines 2-14 (where endpoints are connected to the communications network system via a communications link using, among the variety of protocols available, session initiation protocol); col. 4, lines 26-45, 46-58; Ravindranth discloses the use of terminal gateways that are coupled to every endpoint in the network system, whether they are receiving data or transmitting data), a local configuration store that stores information required for the Basic Call Enhancer to route messages (col. 6, lines 60-67; col. 7, lines 1-10, 46-61; Figure 2; Ravindranth utilizes a database that contains information about each endpoint. During initialization of the program, a session handler module is created and provides session and connection handling capabilities of the server.), a call router that involves the first and second SIP user agents in an enhanced SIP session (col. 3, lines 30-62; Ravindranath utilizes telephony servers that contain "Pentium based microprocessors, random access memory, mass storage, and hardware necessary to access the network cloud", and "application software...to allow a registered endpoint to...connect to any other endpoint in the network cloud"), a session controller that transfers messages from the user agent server part to the call router and from the call router to the user agent client part to keep track of session states and progress (col. 8, lines 5-10, 22-26. Ravindranath's invention utilizes a state machine within the call process handler which allows the handler to process and generate messages based on the state of the call),

and a payload router that manages media streams so that the Basic Call Enhancer

functions as a virtual end point to both the first and second SIP user agents in respect of

the media streams (col. 4, lines 26-58;col.7, lines 62-67; col. 8, lines 1-52; col. 14, lines

44-46. Most specifically, Ravindranath discloses the terminal gateway including "a

coder/decoder (CODEC), implemented in hardware or software, which converts analog

signals received from the endpoint into a digital stream", packetizers for packaging the

digital bits in the digital stream into packets for transmission", and "providing call

progress features to (an) endpoint").

     As per claim 11, Ravindranath discloses the network entity as claimed in claim 7,

wherein the SIP Basic Call Enhancer functions as a client application for the first end

point (col. 5, lines 2-14 (where endpoints are connected to the communications network

system via a communications link using, among the variety of protocols available,

session initiation protocol); col. 3, lines 30-43, 52-62; col. 14, lines 41-43. The telephony

server disclosed by Ravindranath for any particular endpoint in the network can act as a

client or server, depending on whether the call process handler will process or generate

a message to be received or sent by the endpoint. These servers collaborate with one

another to provide features not directly supported by an endpoint).

     As per claim 12, Ravindranath discloses the network entity as claimed in claim 7,

wherein the SIP Basic Call Enhancer functions as a server application for the second

endpoint (col. 5, lines 2-14 (where endpoints are connected to the communications

network system via a communications link using, among the variety of protocols

available, session initiation protocol); col. 3, lines 30-43, 52-62; col. 14, lines 41-43. The

telephony server disclosed by Ravindranath for any particular endpoint in the network

can act as a client or server, depending on whether the call process handler will process

or generate a message to be received or sent by the endpoint. These servers

collaborate with one another to provide features not directly supported by an endpoint).

Conclusion

The prior art made of record and not relied upon are:

US 5,859,979 to Tung et al. system for negotiating conferencing capabilities.

US 2003/0035528 A1 to Baker context sensitive telephony wizard method and

apparatus.

US 7,366,780 to Keller et al. system and method for controlling and managing

sessions between endpoints in a communication system.

US 6,742,042 to Holden et al. method and apparatus for presenting ticker

information.

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to BENJAMIN ELLIOTT whose telephone number is

(571)270-7163. The examiner can normally be reached on Monday thru Friday, 7:30

AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Taghi Arani can be reached on 1-571-272-3787. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/B. E./
Examiner, Art Unit 4144

8/11/2008

/Ronald Abelson/

Primary Examiner, Art Unit 4144